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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,867	09/08/2003	Belford T. Coursey	2001-1018.01/US	5172
7590	08/24/2005		EXAMINER	
Kevin D. Martin 8000 S. Federal Way MS 01-525 Boise, ID 83707-0006			PRENTY, MARK V	
			ART UNIT	PAPER NUMBER
			2822	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/658,867	COURSEY, BELFORD T.	
	Examiner	Art Unit	
	MARK PRENTY	2822	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 September 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 17-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 17-20 and 24-26 is/are allowed.
- 6) Claim(s) 21 is/are rejected.
- 7) Claim(s) 22 and 23 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 September 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>September 8, 2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

This Office Action is in response to the papers filed on September 8, 2003.

The PTO file does not contain drawing sheets 10-13 and 17-22. Applicant is required to (re)submit drawing sheets 10-13 and 17-22 in response to this Office Action.

Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent 6,121,084 to Coursey.

With respect to independent claim 21, Coursey discloses (see the entire patent, including the Fig. 13 disclosure) comprising: a conductive container capacitor bottom plate layer 70/90/94; a first portion of said bottom plate capacitor which defines a receptacle, wherein said first portion of said bottom plate layer comprises a first texture; a second portion of said bottom plate layer 70/90/94 which defines a rim to an interior of said receptacle, wherein said second portion of said bottom plate layer comprises a second texture which is smoother than said first texture (note that layer 70 is smoothest at the rim of the receptacle); and a cell dielectric layer 80 formed over said bottom plate layer which contacts said first portion and said second portion of said bottom plate layer.

Claim 21 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Coursey.

Claim 21 is rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent 6,693,320 to DeBoer et al. (DeBoer).

With respect to independent claim 21, DeBoer discloses (see the entire patent, including the Figs. 7-8 disclosure) comprising: a conductive container capacitor bottom plate layer 32/34; a first portion of said bottom plate capacitor which defines a receptacle, wherein said first portion of said bottom plate layer comprises a first texture;

a second portion of said bottom plate layer 32/34 which defines a rim 28 to an interior of said receptacle, wherein said second portion of said bottom plate layer comprises a second texture which is smoother than said first texture; and a cell dielectric layer 50 formed over said bottom plate layer which contacts said first portion and said second portion of said bottom plate layer.

Claim 21 is thus rejected under 35 U.S.C. 102(e) as being anticipated by DeBoer.

Claims 22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 17-20 and 24-26 are allowable over the prior art of record.

The prior art of record does not disclose or suggest the allowable semiconductor device taken as a whole, including the inhibitor layer.

United States Patent 6,617,222 is related to this application.

Registered practitioners can telephone the examiner at (571) 272-1843. Any voicemail message left for the examiner must include the name and registration number of the registered practitioner calling, and the Application/Control (Serial) Number. Technology Center 2800's general telephone number is (571) 272-2800.

Mark Prenty
Mark V. Prenty
Primary Examiner